

ORIGINAL

(6)
5-3-01
SC

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED
HARRISBURG

MAY 02 2001

MARY E. D'ANDREA, CLERK
Per SC DEPUTY CLERK

KENNETH ALAN SHIFFER,
Petitioner,

VS.

SUPERINTENDENT BEN VARNER
THE PA. ATTORNEY GENERAL, AND
THE COLUMBIA COUNTY OFFICE OF
THE DISTRICT ATTORNEY,
Respondents.

)
)
) C.A. NO. 1:CV-00-1829
) HABEAS CORPUS ACTION
) VIA STATE PRISONER
) 28 U.S.C. §2254

) (WILLIAM W. CALDWELL, UNITED STATES DISTRICT JUDGE)
)

RESPONSE TO COURT'S ORDER DATED APRIL 24, 2001

John W. McDanel, Columbia County District Attorney, hereby files the following
Response to this Honorable Court's Order dated April 24, 2001.

1. The Columbia County District Attorney's Office was previously Ordered to
respond to the Petitioner's allegations within twenty (20) days by Order dated February 23, 2001.

2. Despite due diligence, the Columbia County District Attorney's Office did
not file a Response within the allotted time period for the following reasons:

(A) The current District Attorney's Office is a part-time prosecutorial
office, and is the third different administration since the original conviction of the Petitioner.

(B) The current District Attorney's office spent a considerable amount
of time locating, verifying and organizing previous transcripts, briefs, documents, etc.

(C) Due to the severity of the crime which is the subject matter of the
habeas corpus, it was necessary to review all transcripts of the original Trial, including the jury

instructions, together with the post-trial appeals and subsequent PCRA Petition.


3. Prior to the current Court Order dated April 24, 2001, the Columbia County District Attorney's Office Response to the Habeas Corpus Petition had been completed; however, all transcripts had not been verified and copied.

4. The Columbia County District Attorney's Office has now forwarded a Response, Brief and transcripts to this Honorable Court.

5. The Columbia County District Attorney's Office believes that it has established good cause for an extension of time in which to file the above-mentioned items.

WHEREFORE, the Columbia County District Attorney's Office respectfully requests an extension of time within which to file a Response to the Petitioner's Habeas Corpus with said date being established as May 4, 2001.

Respectfully submitted,



JOHN W. McDANEL, ESQUIRE
COLUMBIA COUNTY DISTRICT ATTORNEY
I.D. #50867

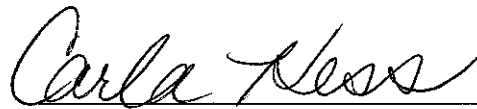
IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KENNETH ALAN SHIFFER)	
Petitioner)	
vs.)	C.A. NO. 1: CV-00-1829
)	HABEAS CORPUS ACTION
)	VIA STATE PRISONER
SUPERINTENDENT BEN VARNER)	28 U.S.C. §2254
THE PA. ATTORNEY GENERAL, AND)	
THE COLUMBIA COUNTY OFFICE OF)	
THE DISTRICT ATTORNEY,)	(William W. Caldwell, United States District Judge)
Respondents.)	

CERTIFICATE OF SERVICE

I, Carla Hess, hereby certify that I did mail a true and correct copy of the Response To
Court's Order Dated April 24, 2001 on April 30, 2001, by first class mail to:

Kenneth Alan Shiffer
AT-1194
SCI Dallas
Drawer K, Follies Road
Dallas PA 18612-0286



Carla Hess